

ASSEMBLY BILL

No. 1190

Introduced by Assembly Member Canciamilla

February 22, 2005

An act to enact the Energy Code, and to amend Sections 11550 and 12800 of the Government Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1190, as introduced, Canciamilla. Energy: agency consolidation.

(1) The Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires it to certify sufficient sites and related facilities that are required to provide a supply of electricity sufficient to accommodate projected demand for power statewide. Under that act, the Energy Commission also administers existing law with respect to energy conservation and renewable electricity generation sources.

Existing law authorizes the Public Utilities Commission to regulate public utilities, including electrical and gas corporations. Under existing law, the commission is charged with issuing certificates of public convenience and necessity to every electrical and gas corporation proposing to construct or modify any electric or gas plant within the state, is authorized to determine the value of the property of every public utility in the state, to fix the just compensation to be paid by a political subdivision for public utility property acquired by eminent domain, to hold hearings concerning complaints against certain entities, including electrical and gas corporations, and to charge and collect certain fees. Under existing law, a public utility is guilty of a crime for failing to comply with provisions of the Public

Utilities Act, the California Constitution, or an order by the commission.

Under existing law, the California Consumer Power and Conservation Financing Authority Act establishes the California Consumer Power and Conservation Financing Authority (Power Authority), with certain powers and responsibilities, including the issuance of up to \$5,000,000,000 of revenue bonds, for the purposes of augmenting electric generating facilities and ensuring a sufficient and reliable supply of electricity.

Existing law establishes the Division of Oil, Gas, and Geothermal Resources within the Department of Conservation.

This bill would enact the Energy Code and would establish the Energy Agency under the administration of the Secretary of Energy, who would be appointed by the Governor and subject to confirmation by the Senate. The agency would be responsible for the planning, development, and implementation of all major aspects of the state energy policy to ensure an adequate, reasonably priced supply of electricity and natural gas. The secretary, in consultation with the Independent System Operator (ISO), would be required to determine appropriate reserve levels needed to maintain the reliability and stability of the electrical transmission and distribution grid and the Public Utilities Commission would be required to ensure that electrical corporations meet the reserve levels determined to be appropriate by the secretary. The bill would require the Secretary of Energy to establish goals for energy conservation and resource efficiency that will achieve or exceed the conservation and efficiency goals in the Energy Action Plan jointly adopted by the Consumer Power and Conservation Financing Authority, the Energy Resources Conservation and Development Commission, and the Public Utilities Commission and to be responsible for coordination of energy conservation and resource efficiency programs and to consolidate those programs, where desirable. The bill would require the Secretary of Energy, within 90 days following confirmation, to report to the Legislature regarding liquefied natural gas, natural gas conservation measures, and other options to improve the supply and distribution of a reliable natural gas supply in California.

(2) The existing restructuring of the electrical services industry establishes the Electricity Oversight Board (Oversight Board) to oversee the ISO and the Power Exchange in order to ensure the

success of the electrical industry restructuring and to ensure a reliable supply of electricity in the transition to a new market structure.

Existing law establishes the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy (Little Hoover Commission) to promote economy, efficiency, and improved service in the transaction of the public business in the various departments, agencies, and instrumentalities of the executive branch of the state government.

Existing law authorizes the Governor to perform executive branch reorganizations for certain purposes, except an agency whose primary purpose is service to the legislative or judicial branches or any agency that is administered by an elective officer. The reorganization plan becomes effective on the 61st day after it has been given to the Legislature unless either the Senate or the Assembly adopts, by majority vote, a resolution rejecting the plan. The Governor is required to submit for study and recommendation any reorganization plan to the Little Hoover Commission at least 30 days prior to submitting the plan to the Legislature.

This bill would require the Governor to examine and on or before May 1, 2006, submit for study and recommendation to the Little Hoover Commission, and on or before July 1, 2006, transmit to the Legislature, a plan for reorganization of the energy regulatory activities of the state. The plan of reorganization would be required to (1) establish within the Energy Agency all major policy making functions with respect to the state’s energy policy; (2) eliminate the California Consumer Power and Conservation Financing Authority and transfer its authority to the Energy Agency; (3) merge the State Energy Resources Conservation and Development Commission into the Energy Agency; (4) eliminate the Electricity Oversight Board and transfer its functions for monitoring and investigating wholesale energy markets to the Energy Agency; (5) transfer to the Energy Agency all policy making functions with respect to energy matters currently performed by the Public Utilities Commission and establish review mechanisms to ensure that the regulatory activities of the Public Utilities Commission are consistent with the state’s energy policy; (6) establish a single board in the Energy Agency, with responsibility for state approval for the siting of energy production, storage, and transmission facilities; (7) establish the Secretary of Energy as the sole authorized representative of the state before the Federal Energy Regulatory Commission (FERC); (8) require the ISO

to report any filings or appearances before FERC to the secretary; (9) provide public oversight of the ISO by the Energy Agency, to the extent permitted under federal law ; (10) establish a mechanism for the Public Utilities Commission to timely advise the siting board and the Secretary of Energy regarding the rate impacts of decisions; and (11) establish a mechanism for adequate public comment before final decisions are made and for review of decisions made by the Secretary of Energy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
- 3 (a) California's existing energy regulatory system has resulted
4 in significant fragmentation, duplication, overlap, and confusion
5 in the formulation and execution of the state's energy related
6 functions.
- 7 (b) Having a single agency that is responsible for the state's
8 energy policy will better ensure that the state sends a clear and
9 consistent message to the public, the business community, the
10 energy industry, and financial markets relative to policy
11 objectives and the means to carry out those objectives.
12 Consolidating energy policymaking into a single lead agency will
13 ensure that all agencies advocate for, and carry out, one state
14 energy policy, rather than disagreeing on elements of energy
15 policy as they have in the past.
- 16 (c) Having a cabinet-level gubernatorial appointee with
17 responsibility for overseeing a single agency that is responsible
18 for the state's energy policy will promote accountability to the
19 Legislature and the public for policy, legal, and administrative
20 actions.
- 21 (d) Having a single agency that is responsible for the state's
22 energy policy will eliminate duplication of effort and save money
23 in research, developing policy, program design and coordination,
24 program implementation, consumer protection, and compliance
25 with environmental objectives and protections. Consolidation
26 will reduce the number of high-level officials responsible for
27 policy, legal, communications, and administrative issues.

1 (e) Having a cabinet-level gubernatorial appointee with
2 responsibility for overseeing a single agency that is responsible
3 for the state's energy policy will allow for more timely and
4 comprehensive responses to shortages, emergencies, and
5 enforcement issues, because of decreased potential for conflicts
6 between agencies.

7 (f) Having a single agency responsible for the siting of
8 generation, transmission, and natural gas infrastructure will
9 increase the efficiency and effectiveness of the siting process,
10 thereby helping to ensure Californians will receive a reliable
11 supply of energy at a reasonable cost.

12 (g) It is the intent of the Legislature to enact an Energy Code,
13 under the governance of the Energy Agency.

14 (h) It is the further intent of the Legislature that the Energy
15 Agency be responsible for the development of the state's energy
16 policy and for strategic planning on how to implement the state's
17 energy policy. The Legislature endorses the goals and actions of
18 the Energy Action Plan jointly adopted by the Consumer Power
19 and Conservation Financing Authority, the Energy Resources
20 Conservation and Development Commission, and the Public
21 Utilities Commission, subject to change and refinement over time
22 in order to adapt to changing conditions and legislative direction.

23 (i) It is the further intent of the Legislature that the Public
24 Utilities Commission carry out its regulatory powers and
25 jurisdiction over public utilities in a manner that is consistent
26 with the state's energy policy, as developed and refined by the
27 Energy Agency. The Energy Agency will set policy and the
28 Public Utilities Commission will implement it in the regulatory
29 arena.

30 (j) It is the further intent of the Legislature that the Joint
31 Legislative Audit Committee, Senate Energy, Utilities and
32 Communications Committee, and Assembly Utilities and
33 Commerce Committees hold regular oversight hearings on
34 agency activities, including agency expenditures and policy
35 planning.

36 SEC. 2. (a) The Governor shall examine and on or before
37 May 1, 2006, submit for study and recommendation to the Milton
38 Marks "Little Hoover" Commission on California State
39 Government Organization and Economy established pursuant to
40 Chapter 6 (commencing with Section 8501) of Division 1 of Title

1 2 of the Government Code, a plan for reorganization of the
2 energy regulatory activities of the state, pursuant to Article 7.5
3 (commencing with Section 12080) of Chapter 1 of Part 2 of
4 Division 3 of Title 2 of the Government Code.

5 (b) The Governor shall on or before July 1, 2006, transmit to
6 the Legislature, a plan for reorganization of the energy regulatory
7 activities of the state pursuant to Article 7.5 (commencing with
8 Section 12080) of Chapter 1 of Part 2 of Division 3 of Title 2 of
9 the Government Code.

10 (c) The Governor's plan of reorganization shall include all of
11 the following provisions:

12 (1) Establish within the Energy Agency all major policy
13 making functions with respect to the state's energy policy.

14 (2) Eliminate the California Consumer Power and
15 Conservation Financing Authority and transfer its authority to the
16 Energy Agency.

17 (3) Merge the State Energy Resources Conservation and
18 Development Commission into the Energy Agency.

19 (4) Eliminate the Electricity Oversight Board and transfer its
20 functions for monitoring and investigating wholesale energy
21 markets to the Energy Agency.

22 (5) Transfer to the Energy Agency all policy making functions
23 with respect to energy matters currently performed by the Public
24 Utilities Commission and establish review mechanisms to ensure
25 that the regulatory activities of the Public Utilities Commission
26 are consistent with the state's energy policy. The Secretary of
27 Energy shall have standing to appeal a decision of the Public
28 Utilities Commission on the grounds that the decision is
29 inconsistent with the state's energy policy.

30 (6) Establish a single board in the Energy Agency, with
31 responsibility for state approval for the siting of energy
32 production, storage, and transmission facilities, including electric
33 plants and gas plants, that will coordinate with agencies with
34 environmental protection responsibilities. In making energy
35 facility siting decisions, the board shall consider energy
36 conservation and resource efficiency options and alternatives.
37 The decisions of the board on any application for certification of
38 a site and related facility are subject to judicial review by the
39 Supreme Court of California.

1 (7) Establish the Secretary of Energy, or the designee of the
2 secretary, as the sole authorized representative of the state before
3 the Federal Energy Regulatory Commission.

4 (8) Require the Independent System Operator to report any
5 filings or appearances before the Federal Energy Regulatory
6 Commission to the Secretary of Energy.

7 (9) Provide for public oversight of the Independent System
8 Operator by the Energy Agency, to the extent permitted under
9 federal law.

10 (10) Establish a mechanism for the Public Utilities
11 Commission to timely advise the board responsible for siting
12 energy facilities and the Secretary of Energy, regarding the rate
13 impacts of decisions made by the board and the secretary, to
14 avoid unexpected adverse rate impacts.

15 (11) Establish a mechanism for adequate solicitation and
16 consideration of public comments before final decisions are
17 rendered and for the review of final decisions made by the
18 Secretary of Energy, that will protect the public from arbitrary or
19 capricious decisions, ensure that decisions are reasonable and
20 supported by fact, while ensuring that decisions are implemented
21 in a timely and responsive manner.

22 SEC. 3. The Department of Finance may direct the transfer of
23 unexpended and unencumbered balances of appropriations and
24 other funds available for use in connection with any function
25 affected by the reorganization prescribed by the act adding this
26 section that the Director of Finance determines to be necessary to
27 facilitate the reorganization, for use in connection with the
28 functions affected by the reorganization, provided that any
29 unexpended and unencumbered balances of appropriations and
30 other funds so transferred shall be expended, as to appropriations,
31 only for purposes that were authorized by the appropriation and,
32 as to other available funds, only for purposes authorized as of the
33 effective date of the act adding this section.

34 SEC. 4. The Energy Code is enacted, to read:

TITLE

DIVISION 1. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

1. This code is known as the Energy Code.

2. Division, chapter, article, and section headings do not affect the scope, meaning, or intent of this code.

3. Unless the provision or context otherwise requires, the general provisions and rules of construction in this division govern the construction of this code.

4. If a reference is made to a portion of this code or to another law, the reference applies to all amendments and additions regardless of the time made.

5. Unless otherwise expressly stated:

(a) “Division” means a division of this code.

(b) “Part” means a part of the division in which that term occurs.

(c) “Chapter” means a chapter of the division or part, as the case may be, in which that term occurs.

(d) “Article” means an article of the chapter in which that term occurs.

(e) “Section” means a section of this code unless some other statute or code is specifically mentioned.

(f) “Subdivision” means a subdivision of the section in which that term occurs unless some other section is expressly mentioned.

(g) “Paragraph” means a paragraph of the subdivision in which that term occurs.

(h) “Subparagraph” means a subparagraph of the paragraph in which that term occurs.

6. The present tense includes the past and future tenses, and the future, the present.

7. The masculine gender includes the feminine and the neuter.

8. The singular number includes the plural, and the plural, the singular.

9. “Shall” is mandatory and “may” is permissive. “Shall not” and “may not” are prohibitory.

10. “Oath” includes affirmation.

1 11. "Signature" or "subscription" includes a mark when the
2 signer or subscriber cannot write, such signer's or subscriber's
3 name being written near the mark by a witness who writes his
4 own name near the signer's or subscriber's name; but a signature
5 or subscription by mark can be acknowledged or can serve as a
6 signature or subscription to a sworn statement only when two
7 witnesses so sign their own names thereto.

8 12. "State" means the State of California, unless applied to the
9 different parts of the United States. In the latter case, it includes
10 the District of Columbia and the territories.

11 13. "County" includes city and county.

12 14. "City" includes city and county and "incorporated town,"
13 but does not include "unincorporated town" or "village."

14 15. If a provision or clause of this code or its application to
15 any person or circumstances is held invalid, the invalidity does
16 not affect other provisions or applications of the code that can be
17 given effect without the invalid provision or application, and to
18 this end, the provisions of this code are severable.

19 16. No action or proceeding commenced before this code
20 takes effect, and no right accrued, is affected by this code, but all
21 procedure thereafter taken therein shall conform to this code in
22 so far as possible.

23 17. Whenever a power is granted to, or a duty is imposed
24 upon, a public officer, including the Secretary of Energy, the
25 power may be exercised or the duty may be performed by a
26 deputy of the officer or by a person authorized, pursuant to law,
27 by the officer, unless this code expressly provides otherwise.

28 18. Writing includes any form of recorded message capable of
29 comprehension by ordinary visual means. Whenever any notice,
30 report, statement, petition, or record is required or authorized by
31 this code, it shall be made in writing in the English language
32 unless it is expressly provided otherwise. Wherever any notice or
33 other communication is required by this code to be mailed by
34 registered mail by or to any person or corporation, the mailing of
35 such notice or other communication by certified mail shall be
36 deemed to be a sufficient compliance with the requirements of
37 law.

38 19. Whenever reference is made to any portion of this code or
39 of any other law of this state, the reference applies to all
40 amendments and additions heretofore or hereafter made.

CHAPTER 2. DEFINITIONS

100. The following terms have the following meanings and shall govern the construction of this code, unless the provision or the context otherwise requires.

101. “Agency” means the Energy Agency.

102. “Corporation” includes a corporation, a company, an association, and a joint stock association.

103. “Person” includes an individual, a firm, and a copartnership.

104. “Secretary” means the Secretary of Energy.

105. As used in this code “person” and “corporation” include the lessees, trustees, receivers or trustees appointed by any court whatsoever, of the person or corporation.

106. “Public or any portion thereof” means the public generally, or any limited portion of the public, including a person, private corporation, municipality, or other political subdivision of the state, for which the service is performed or to which the commodity is delivered.

DIVISION 2. ENERGY AGENCY

CHAPTER 1. ADMINISTRATION

200. The Energy Agency is hereby established.

201. (a) The agency is administered by the Secretary of Energy.

(b) The secretary is appointed by the Governor and subject to confirmation by the Senate.

202. (a) The secretary shall direct the departments and staff of the agency, in the performance of their duties, in accordance with statutes and agency policies and guidelines. The secretary shall be responsible for the agency’s executive and administrative duties and shall organize, coordinate, supervise, and direct the operations and affairs of the agency and expedite all matters within the agency’s jurisdiction.

(b) The secretary shall keep a full and true record of all proceedings of the agency, issue all necessary process and notices, and perform such other duties as are necessary to carry out the duties of the agency.

1 (c) The secretary may appoint assistant executives who may
2 serve process on behalf of the secretary in any county or city and
3 county of this state.

4 203. The secretary may employ any officers, administrative
5 law judges, experts, engineers, statisticians, accountants,
6 inspectors, clerks, and employees as the secretary deems
7 necessary to carry out or to perform the duties and exercise the
8 powers conferred upon the agency by law. All officers and
9 employees shall receive compensation as is established by the
10 secretary.

11 204. (a) The agency shall adopt procedures on the
12 disqualification of administrative law judges due to bias or
13 prejudice similar to those of other state agencies and superior
14 courts.

15 (b) The agency shall develop the procedures with the
16 opportunity for public review and comment.

17 205. The agency may do any of the following:

18 (a) Apply for and accept grants and contributions, and expend
19 appropriations.

20 (b) Contract for professional work or services if work or
21 services cannot be satisfactorily performed by its employees or
22 by any other state agency.

23 (c) Be sued and sue.

24 (d) Request and utilize the advice and services of all federal,
25 state, regional, and local agencies.

26 (e) Adopt any rule or regulation, or take any action, that the
27 secretary determines to be reasonable and necessary to carry out
28 this code. The agency shall adopt rules and regulations, as
29 necessary, to carry out this code in conformity with Chapter 3.5
30 (commencing with Section 11340) of Part 1 of Division 3 of Title
31 2 of the Government Code.

32 (f) Do any and all things necessary to carry out the purposes of
33 this chapter.

34 206. The provisions of this division specifying any power or
35 duty of the agency shall be liberally construed, to carry out the
36 objectives of this code.

37 207. As to any matter involving the federal government, its
38 departments or agencies, that is within the scope of the powers
39 and duties of the agency, the secretary may represent its interest
40 or the interest of any county, city, state agency, or district upon

1 its request, and to that end may correspond, confer, and cooperate
2 with the federal government, and its departments or agencies.

3 208. The secretary may participate as a party in any
4 proceeding that is relevant to the secretary's duties.

5
6 CHAPTER 2. OFFICES AND MEETINGS
7

8 250. (a) The agency shall maintain its headquarters in the
9 County of Sacramento and may establish branch offices in those
10 parts of the state that the agency determines to be necessary.

11 (b) The meetings of the agency shall be open and public in
12 accordance with Article 9 (commencing with Section 11120) of
13 Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
14 Code.

15 (c) The agency shall have a seal, bearing the inscription
16 "Energy Agency". The seal shall be affixed to all writs and
17 authentications of copies of records and to such other instruments
18 as the director shall direct.

19 (d) The agency may procure all necessary books, maps, charts,
20 stationery, instruments, office furniture, apparatus, and
21 appliances.

22
23 CHAPTER 3. RECORDS
24

25 260. The agency shall make available any information filed or
26 submitted pursuant to this code under the California Public
27 Records Act (Chapter 3.5 (commencing with Section 6250) of
28 Division 7 of Title 1 of the Government Code), except that the
29 agency shall keep confidential any information that is required to
30 be kept confidential by federal statute, rule, or order, or that is
31 nonpublic pursuant to another provision of state law. The
32 secretary shall prepare and submit annually a report to the
33 Legislature summarizing information withheld from the public
34 pursuant to this section.

35
36 CHAPTER 4. LEGAL AFFAIRS
37

38 300. The Legal Affairs Department is established in the
39 Energy Agency, administered by the agency counsel, with
40 responsibility for facility compliance, permit condition

1 compliance, enforcement of all regulatory responsibilities of the
2 agency, and representation of the state's proprietary interests and
3 the interests of ratepayers.

4 301. (a) The secretary may appoint as agency counsel, an
5 attorney at law of this state, who shall hold office during the
6 pleasure of the secretary.

7 (b) The attorney shall represent and appear for the people of
8 the State of California and the agency in all actions and
9 proceedings involving any question under this code or under any
10 order or act of the agency. If directed to do so by the secretary,
11 the attorney shall intervene, if possible, in any action or
12 proceeding in which any such question is involved.

13 (c) The attorney shall commence, prosecute, and expedite the
14 final determination of all actions and proceedings directed or
15 authorized by the secretary, advise the secretary, when so
16 requested, in regard to all matters in connection with the powers
17 and duties of the agency and the members thereof, and generally
18 perform all duties and services as attorney to the agency that the
19 secretary may require of him or her.

20
21 DIVISION 3. ENERGY POLICY AND PLANNING
22

23 1000. (a) The agency shall be responsible for the planning,
24 development, and implementation of all major aspects of the
25 state energy policy. The state energy policy will ensure an
26 adequate, reasonably priced supply of electricity and natural gas.

27 (b) When agencies, departments, and commissions retain
28 powers and authority with respect to energy programs, those
29 agencies, departments, and commissions shall coordinate their
30 activities with the agency and not act in a manner that defeats the
31 state energy policy.

32 1001. The secretary, in consultation with the Independent
33 System Operator, shall determine appropriate reserve levels
34 needed to maintain the reliability and stability of the electrical
35 transmission and distribution grid. The Public Utilities
36 Commission shall ensure that electrical corporations meet the
37 reserve levels determined to be appropriate by the secretary.

38 1002. (a) The secretary shall establish goals for energy
39 conservation and resource efficiency that will achieve or exceed
40 the conservation and efficiency goals in the Energy Action Plan

1 jointly adopted by the Consumer Power and Conservation
2 Financing Authority, the Energy Resources Conservation and
3 Development Commission, and the Public Utilities Commission.

4 (b) The secretary shall be responsible for coordinating energy
5 conservation and resource efficiency programs and for
6 consolidating those programs where desirable.

7
8 DIVISION 4. REPORTING
9

10 4000. The secretary shall, within 90 days following the date
11 of confirmation, prepare and submit a report to the Legislature
12 regarding liquefied natural gas, natural gas conservation
13 measures, and other options to improve the supply and
14 distribution of a reliable natural gas supply in California. The
15 report shall include policy recommendations.

16 SEC. 5. Section 11550 of the Government Code is amended
17 to read:

18 11550. Effective January 1, 1988, an annual salary of
19 ninety-one thousand fifty-four dollars (\$91,054) shall be paid to
20 each of the following:

- 21 (a) Director of Finance.
- 22 (b) Secretary of Business, Transportation and Housing.
- 23 (c) Secretary of Resources.
- 24 (d) Secretary of Health and Human Services.
- 25 (e) Secretary of State and Consumer Services.
- 26 (f) Commissioner of the California Highway Patrol.
- 27 (g) Secretary of the Youth and Adult Correctional Agency.
- 28 (h) Secretary of Food and Agriculture.
- 29 (i) Secretary of Technology, Trade, and Commerce.
- 30 (j) Secretary of Veterans Affairs.
- 31 (k) Secretary of Labor and Workforce Development.
- 32 (l) *Secretary of Energy.*

33 The annual compensation provided by this section shall be
34 increased in any fiscal year in which a general salary increase is
35 provided for state employees. The amount of the increase
36 provided by this section shall be comparable to, but shall not
37 exceed, the percentage of the general salary increases provided
38 for state employees during that fiscal year.

39 SEC. 6. Section 12800 of the Government Code is amended
40 to read:

1 12800. There are in the state government the following
2 agencies: State and Consumer Services; Business, Transportation
3 and Housing; California Environmental Protection; California
4 Health and Human Services; *Energy*; Labor and Workforce
5 Development; Resources; *Technology, Trade, and Commerce*;
6 and Youth and Adult Correctional.

7 Whenever the term “Agriculture and Services Agency” appears
8 in any law, it means the “State and Consumer Services Agency,”
9 and whenever the term “Secretary of Agriculture and Services
10 Agency” appears in any law, it means the “Secretary of State and
11 Consumer Services.”

12 Whenever the term “Business and Transportation Agency”
13 appears in any law, it means the “Business, Transportation and
14 Housing Agency,” and whenever the term “Secretary of the
15 Business and Transportation Agency” appears in any law, it
16 means the “Secretary of Business, Transportation and Housing.”

17 Whenever the term “Health and Welfare Agency” appears in
18 any law, it means the “California Health and Human Services
19 Agency,” and whenever the term “Secretary of the Health and
20 Welfare Agency” appears in any law, it means the “Secretary of
21 California Health and Human Services.”